

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42077 of 2024

Arising Out of PS. Case No.-409 Year-2021 Thana- DANAPUR District- Patna

1. Manish Kumar S/O Umesh Singh @ Umesh Rai @ Umesh Yadav Resident of Village Sultanpur Ram Nagar Colony P.S. danapur, Distt-Patna, Bihar
2. Binit Kumar @ Vineet Kr S/O Umesh Singh @ Umesh Rai @ Umesh Yadav Resident of Village Sultanpur Ram Nagar Colony P.S. danapur, Distt-Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nishikant

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 04-07-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2018.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and allegation is of recovery of 18.51 litres of liquor from the house of Dharmendra Kumar and a motorcycle was seized. It is next submitted that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and even alleged recovery is from a place which does not belong to the petitioners nor petitioners are owner of the seized vehicle and they came to be



implicated in the instant case on the ground that the alleged recovery was made from a place which is adjacent to their house.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees five hundred) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Danapur P.S. Case No.409/2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that the learned trial court before accepting the bail bonds of the petitioners shall verify the criminal antecedents of the petitioners and in the event if it is found that petitioners have antecedent of even one case, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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